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Attorneys for Jimmy Torres

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JIMMY TORRES,

Defendant.

2:12-cr-00154-KJD-GWF

**UNOPPOSED MOTION FOR THE
PREPARATION OF PRE-PLEA
PRESENTENCE REPORT (PSR)**

COMES NOW the defendant, Jimmy Torres, by and through his counsel of record, Rachel Korenblat, Assistant Federal Public Defender, and files this Motion for the Preparation of Pre-Plea Presentence Report (PSR). This pleading is based upon the attached Memorandum of Points and Authorities and all of the papers and pleadings on file herein.

DATED this 16th day of July, 2013.

RENE L. VALLADARES
Federal Public Defender

/s/ Rachel Korenblat
RACHEL KORENBLAT
Assistant Federal Public Defender

POINTS AND AUTHORITIES

On May 8, 2012, Jimmy Torres was charged in a Criminal Indictment with Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g)(1) and 924 (a)(2). On January 28, 2013, Mr. Torres made his initial appearance and entered his plea of not guilty to the charges in the indictment.

There is a concern that Mr. Torres may qualify as an armed career criminal, which would cause him to face a significant amount of custodial time. Undersigned counsel has communicated with Assistant United States Attorney, Cristina Silva and she does not oppose this request for a pre-plea presentence investigation. To assure that Mr. Torres has the information he needs to make a truly knowing and intelligent decision about how to proceed with his case, the parties request that a Pre-Plea Presentence Investigation Report be completed to determine if his prior convictions will trigger the sentencing enhancements pursuant to the Armed Career Criminal Act, 18 U.S.C. § 924(e)(1).

CONCLUSION

Wherefore, Mr. Torres respectfully request that this Honorable Court enter an Order directing that the United States Department of Probation prepare a Pre-Plea Presentence Investigation Report to determine Mr. Torres's criminal history.

DATED this 16th day of July, 2013.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ Rachel Korenblat
RACHEL KORENBLAT
Assistant Federal Public Defender

SO ORDERED:
DATED this 18 day of July, 2013.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that I am an employee of the Law Offices of the Federal Public Defender for the District of Nevada and am a person of such age and discretion as to be competent to serve papers.

That on July 16, 2013, I served an electronic copy of the above and foregoing

UNOPPOSED MOTION FOR THE PREPARATION OF THE PRE-PLEA PRESENTENCE

REPORT (PSR) by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
CRISTINA D. SILVA
Assistant United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101

/s/ Blanca Lenzi
Employee of the Federal Public Defender